

No. 09-

**IN THE
UNITED STATES COURT OF APPEALS FOR THE
SEVENTH CIRCUIT**

UNITED STATES OF AMERICA,)	
)	
Plaintiff/Appellee,)	
)	Case Nos. 06 CR 50067
)	01 CR 50004-2
v.)	
)	Appeal from the United States
)	District Court for the Northern
)	District of Illinois, Western
JONATHAN GEAR)	Division.
)	
)	Hon. Philip G. Reinhard
Defendant/Appellant.)	Judge Presiding

CIRCUIT RULE 3(C) DOCKETING STATEMENT

If Any Party Is A Corporation Or
Association, Identify Any Affiliate,
Subsidiary, Or Parent Group: _____ N/A _____

Counsel On Appeal
For Appellants

Name: Mark A. Byrd, Byrd & Taylor Attorneys at Law

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Trial Counsel,
If Different

Name: Same as above

Address:

Telephone:

NATURE OF CASE

This case presents the appeal of the Judgment of Conviction and Sentence of the United States District Court for the Northern District of Illinois, Western Division in Case No. 06 CR 50067, and the Judgment that Defendant violated the terms of his Mandatory Supervised Release and Sentence in Case No. 01 CR 50004-2. The Judgment of the District Court was entered and docketed by the District Court Clerk in Case No. 06 CR 50067 and 01 CR 50004-2 on October 29, 2009. Defendant timely filed his Notice of Appeal on November 5, 2009, and the same was docketed on November 5, 2009.

STATEMENT OF ISSUES

- (1) Whether the District Court's sentence on remand was erroneous.

Date: November 5, 2009

Respectfully Submitted,

JONATHAN GEAR

BY: _____/s_____
Mark A. Byrd
Attorney for Defendant/Appellant

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CERTIFICATE OF SERVICE

_____The undersigned hereby certifies that in accordance with Fed. R. Crim. P. 49, Fed. R. Civ. P. 5, LR 5.5, and the General Order on Electronic Case Filing (ECF), the following document:

CIRCUIT RULE 3(C) DOCKETING STATEMENT

was served pursuant to the district court's ECF system as to ECF filers on November 5, 2009.

_____/s
Mark A. Byrd